

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANCISCO AURTORO KOBEL,

Petitioner,

v.

PAUL THOMPSON,

Respondent.

No. 2:21-cv-0841 JAM KJN P

ORDER

Petitioner, a federal prisoner proceeding pro se, filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 16, 2021, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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1 On November 24, 2021, petitioner also filed a motion for expedited hearing. However, in
2 light of the above, petitioner's motion is denied.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations November 16, 2021, are adopted in full;
5 2. Respondent's motion to dismiss (ECF No. 10) is granted on the grounds that
6 petitioner's claim is not ripe;
7 3. The court declines to issue the certificate of appealability referenced in 28 U.S.C.
8 § 2253; and
9 4. Petitioner's motion for expedited hearing (ECF No. 12) is denied.

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11 Dated: December 20, 2021

/s/ John A. Mendez

12 THE HONORABLE JOHN A. MENDEZ
13 UNITED STATES DISTRICT COURT JUDGE
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